

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

PATTY BEALL, MATTHEW MAXWELL,	§	
DAVID GRAVLEY, TALINA MCELHANY,	§	
KELLY HAMPTON, CASEY BROWN,	§	
JASON BONNER, ANTHONY DODD,	§	
ILENE MEYERS, TOM O’HAVER,	§	
JOY BIBLES, AND MELISSA PASTOR,	§	
Individually and on behalf of all others	§	
similarly situated;	§	
 Plaintiffs,	§	2:08-cv-422 TJW
	§	
TYLER TECHNOLOGIES, INC. AND	§	
EDP ENTERPRISES, INC.	§	
Defendants.	§	

**PLAINTIFF’S UNOPPOSED MOTION TO EXTEND THE DEADLINE FOR
PLAINTIFFS’ RESPONSE TO DEFENDANTS’ MOTION TO STRIKE
FARRINGTON’S EXPERT REPORT AND MOTION TO STRIKE
PORTIONS OF HAKALA’S EXPERT REPORT**

Plaintiffs, Patty Beall, Matthew Maxwell, David Gravley, Talina McElhany, Kelly Hampton, Casey Brown, Jason Bonner, Anthony “Tony” Dodd, Ilene Meyers, Tom O’Haver, Joy Bibles, and Melissa Pastor, on behalf of themselves and all others similarly situated, current and former employees of Defendants, Tyler Technologies, Inc. and/or EDP Enterprises, Inc., file this their Unopposed Motion to Extend the Deadline for Plaintiffs’ Response to Defendants’ Motion to Strike Farrington’s Expert Report and Defendants’ Motion to Strike Portions of Hakala’s Expert Report, and would show the Court as follows:

I. INTRODUCTION

1.1 The Court entered a Docket Control Order in this case on December 8, 2009. This case is set for trial on the Court’s docket for April 4, 2011.

1.2 The current deadline for Plaintiff to file its response to Defendants' Motion to Strike Farrington's Expert Report and Defendants' Motion to Strike Portions of Hakala's Expert Report is November 11, 2010, in accordance with the Eastern District local rules.

1.3 The parties filed this Motion to extend time promptly upon counsel's agreement of the need for additional time, and before the deadline.

II. ARGUMENT

2.1 The Court may grant a request to extend time for good cause. Fed. R. Civ. P. 6(b)(1)(A).

2.2 The current deadline for Plaintiffs to file its response to Defendants' Motion to Strike Farrington's Expert Report and Defendants' Motion to Strike Portions of Hakala's Expert Report is November 11, 2010. The Plaintiffs request that its deadline to respond be extended to November 18, 2010.

2.3 The court may grant a request to extend the response time on a showing of good cause. Even if no good cause is shown, the court has discretion to extend the time for Plaintiffs' to respond to Defendant's Motion to Strike Farrington's Expert Report and Defendants' Motion to Strike Portions of Hakala's Expert Report.

2.4 Plaintiffs ask the court to grant an extension for Plaintiffs' to respond to Defendants' Motion to Strike Farrington's Expert Report and Defendants' Motion to Strike Portions of Hakala's Expert Report an additional seven (7) days. Since Defendants' Motions were filed Plaintiffs' counsel has been working on Plaintiffs' Response to Defendants' Motion to Decertify which was filed on November 8, 2010, and has attended two depositions in this matter, one in Pensacola, Florida.

2.5 Defendants, Tyler Technologies, Inc. and/or EDP Enterprises, Inc., are unopposed to a seven (7) day extension.

2.6 Plaintiff's request to extend time is for good cause and is not intended to delay these proceedings. See Fed. R. Civ. P. 6(b)(1)(A). The requested extension will not affect the current trial setting.

CONCLUSION

_____ For these reasons, Plaintiffs request that the Court grant Plaintiffs Unopposed Motion to Extend the deadline to respond to Defendants' Motion to Strike Farrington's Expert Report and Defendants' Motion to Strike Portions of Hakala's Expert Report to November 18, 2010.

Respectfully submitted,

SLOAN, BAGLEY, HATCHER & PERRY
LAW FIRM

/s/ Laureen F. Bagley
John D. Sloan, Jr.
State Bar No. 18505100
jsloan@texttrialfirm.com
Laureen F. Bagley
State Bar No. 24010522
lbagley@texttrialfirm.com
101 East Whaley Street
P.O. Drawer 2909
Longview, Texas 75606
(903) 757-7000
(903) 757-7574 (Fax)

Alexander R. Wheeler
awheeler@rrexparris.com
Jason Paul Fowler
jfowler@rrexparris.com

R. REX PARRIS LAW FIRM
42220 10TH Street West, Suite 109
Lancaster, CA 93534-3428
(661) 949-2595
(661) 949-7524 (Fax)

John P. Zelbst
zelbst@zelbst.com
Chandra L. Holmes Ray
chandra@zelbst.com
ZELBST, HOLMES & BUTLER
P.O. Box 365
Lawton, OK 73502-0365
(580) 248-4844
(580) 248-6916 (Fax)

James E. Wren
Texas State Bar No. 22018200
James.Wren@baylor.edu
One Bear Place #97288
Waco, Texas 76798-7288
(254) 710-7670
(254) 710-2817 (Fax)

ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF CONFERENCE

I certify that on November 10, 2010, I conferred with Defense Counsel, Paulo McKeeby, in person and via email on November 11, 2010 regarding Plaintiff's Unopposed Motion to Extend deadline to Respond to Defendants' Motion to Strike Experts' Report. After discussing the Motion, Defense counsel advised that he was unopposed to the Motion.

By: /s/ Laureen F. Bagley
LAUREEN F. BAGLEY

CERTIFICATE OF SERVICE

I hereby certify that on this the 11th day of November, a true and correct copy of this document was sent via electronic mail to the following:

Paulo B. McKeeby
Ellen L. Perlioni
Farin Khosravi
Morgan, Lewis & Bockius LLP
1717 Main Street, Suite 3200
Dallas, TX 75201-7347

Deron R. Dacus
Ramey & Flock P.C.
100 East Ferguson, Suite 500
Tyler, TX 75702

By: /s/ Laureen F. Bagley
LAUREEN F. BAGLEY